

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RICHARD WILCOXON,)	
)	
Plaintiff,)	
)	C.A. No. 05-524 (SLR)
)	
v.)	JURY TRIAL DEMANDED
)	
RED CLAY CONSOLIDATED)	
SCHOOL DISTRICT BOARD OF)	
EDUCATION, and JANAY FREEBERY,)	
)	
Defendants.)	

DEFENDANTS' APPLICATION FOR ORAL ARGUMENT

Defendants, by and through their undersigned counsel, respectfully requests oral argument on the following motions pending before the Court pursuant to D. Del. Local Rule 7.1.4:

1. Defendants' Motion for Summary Judgment (D.I. 48)
2. Plaintiffs' Motion for Partial Summary Judgment (D.I. 49).

In support of this application Defendants represent that oral argument is appropriate because these Motions raise novel arguments with respect to: (1) an issue of first impression under Delaware law concerning the application of the conditional privilege defense to a defamation claim asserted by a Plaintiff against a victim of sexual harassment; (2) the impact of the U.S. Supreme Court's recent decision in Garcetti v. Ceballos, 126 S. Ct. 1951 (2006) on Plaintiff's First Amendment claim; and (3) unusual federal and state jurisdictional issues concerning Count IV of Plaintiff's Complaint.

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Barry M. Willoughby

Barry M. Willoughby, Esquire (ID# 1016)

Michael P. Stafford, Esquire (ID# 4461)

The Brandywine Building

1000 West Street

P.O. Box 391

Wilmington, DE 19899-0391

Telephone: (302) 571-6666; 6553

Facsimile: (302) 576-3345

Email: bwilloughby@ycst.com; mstafford@ycst.com

Attorneys for Defendants

Dated: August 14, 2006

CERTIFICATE OF SERVICE

I hereby certify that on August 14, 2006, I electronically filed a true and correct copy of the foregoing Defendants' Application for Oral Argument with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record, and I further certify that a copy of such Defendants' Application for Oral Argument will be sent via First Class Mail to the following counsel of record:

Jeffrey K. Martin, Esquire
Timothy James Wilson, Esquire
Margolis Edelstein
1509 Gilpin Avenue
Wilmington, DE 19806

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Barry M. Willoughby

Barry M. Willoughby, Esquire (No. 1016)
Michael P. Stafford, Esquire (No. 4461)
The Brandywine Building
1000 West Street, 17th Floor
P.O. Box 391
Wilmington, Delaware 19899-0391
(302) 571-6666; (302) 576-3345
bwilloughby@ycst.com; mstafford@ycst.com
Attorneys for Defendants

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